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7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,
11
12 Plaintiff,
13 v.
14 YOGESH K. GANDHI,
15 Defendant.

) No. CR 05-0002 **MJJ**

)
) **STIPULATION AND ORDER**
) **TERMINATING SUPERVISED**
) **RELEASE**

16 **STIPULATION**

17 The government and Yogesh K. Gandhi, through their respective counsel, Thomas Moore and
18 Joyce Leavitt, hereby stipulate that the Court may immediately terminate Yogesh Gandhi's term of
19 supervised release, pursuant to 18 U.S.C. § 3583(e)(1). Mr. Gandhi is requesting that his term of
20 supervised release be terminated early so that he can return to India to live.

21 Mr. Gandhi pled guilty on June 23, 2005 to four counts of unlawful structuring of currency
22 transactions, in violation of 31 USC §5324(a)(3). On December 16, 2005, Mr. Gandhi was
23 sentenced to 24 months in custody and three years of supervised release. Mr. Gandhi was released
24 from custody on January 8, 2008 to begin his term of supervised release.

25 Mr. Gandhi has been on supervised release for almost two years. During this time, he has
26 abided by all of his conditions of supervision, including payment of the \$400 special assessment and

1 a \$4000 fine, along with interest. Mr. Gandhi has been working since his release and has had no
2 violations.

3 Defense counsel has spoken with United States Probation Officer Mark Messner, who is Mr.
4 Gandhi's supervising probation officer. USPO Messner indicated that, as a matter of policy, the US
5 Probation office is unwilling to recommend early termination of supervised release in cases
6 involving a violation of 31 USC §5324(a)(3), unlawful structuring of currency transactions.
7 Therefore, he is unable to join in this request. However, USPO Messner also indicated that Mr.
8 Gandhi has been in compliance with his terms of supervised release since his release on January 8,
9 2008.

10 For these reasons, the parties stipulate that the Court may terminate Mr. Gandhi's term of
11 supervised release effective immediately in accordance with 18 U.S.C. §3583(e)(1).

12 DATED: October 9, 2009

13 /s/
JOYCE LEAVITT
Assistant Federal Public Defender

14
15 DATED: October 9, 2009

16 /s/
THOMAS MOORE
Assistant United States Attorney


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18 I hereby attest that I have on file all holographed signatures for any signatures indicated by a
conformed signature (/s/) within this e-filed document.

19
20 **ORDER**

21 GOOD CAUSE APPEARING, IT IS ORDERED that Yogesh Gandhi's term of supervised release
22 is hereby terminated effective immediately, pursuant to 18 U.S.C. § 3583(e)(1).

23 SO ORDERED.

24
25 DATED: October 13, 2009

26 
D. LOWELL JENSEN
United States District Judge